IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Crl.Rev.Pet.No. 3443 of 2007()

CRA.42/2007 of ADDL. SESSIONS COURT (ADHOC), THODUPUZHA
ST.2716/2004 of JUDL. MAGISTRATE OF FIRST CLASS COURT, ADIMALI

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REVN. PETITIONER: APPELLANT/ACCUSED

SAJI AGED 37 YEARS,S/O. SUKUMARI,
CHEMPANKULATHU, THIDANADU PO EARTTUPETTA.

BY ADV. SRI.GEORGE MATHEW

RESPONDENTS: COMPLAINANT & STATE

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1. STATE OF KERALA REP. BY
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

2. K.P.ELDHOSE, KOOTTERIPPILLY HOUSE,
IRUMPUPALAM P.O., ADIMALY.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR
SRI.M.C.ANTONY

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.3443 of 2007

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Dated: 26th September 2007

ORDER

The accused in ST. No.2716 of 2004 on th**e file** of the J.F.C.M, Adimaly, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 10104 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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